

**APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office SEP 23 1996  
 Returned to applicant for correction \_\_\_\_\_  
 Corrected application filed \_\_\_\_\_  
 Map filed SEP 23 1996 under 62467

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The applicant **Newmont Gold Company & Palisade Ranch** by **Paul M. Pettit, Agent**, hereby makes application for permission to change the point of diversion of water heretofore appropriated under the **Humboldt Decree**, page 149, by proof 00226. The **Humboldt River Adjudication**, Bartlett Decree, page 149, proof 00226.

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1. The source of water is **Humboldt River**
2. The amount of water to be changed **5.347 cfs**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 04, T32N, R52E, M.D.B.&M., at a point from which the NW corner of said Section 04 bears N 78°58' W at a distance of 2683.78 feet.**
6. The existing permitted point of diversion is located within **within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 04, T32N, R52E, M.D.B.&M., at a point from which the SW corner of said Section 04 bears S 90° W a distance of 1050 feet as surveyed (see survey map dated June 21, 1996).**
7. Proposed place of use **See attached copy of Bartlett Decree pages 149.**
8. Existing place of use **See attached copy of Bartlett Decree pages 149.**
9. Use will be from **as decreed to as decreed** of each year.
10. Use was permitted from **as decreed to as decreed** of each year.
11. Description of proposed works **see Proof of Completion filed under permit 10459.**
12. Estimated cost of works **Not applicable**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **1 year**.
15. Remarks: **The reason for change of Point of Diversion, the applicants are unable to hold old dam, dam will not stay and banks too sandy to hold. Note: this application is hereby submitted to correct the Place of Use as requested under permit 10459, which is withdrawn. (See letter from Steve Brown, P.E., of the Nevada Division of Water Resources, dated March 7, 1996, filed under permit 10459.)**

By **s/Paul M. Pettit**  
**PO Box 669**  
**Carlin, NV 89822**

Compared **cms/bk** **dl/cms**

Protested \_\_\_\_\_

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APPROVAL      OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of the Humboldt River as heretofore appropriated under Proof 00226 as appears in the Humboldt River Decree No. 2804 entered October 20, 1931 and October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.347 cubic feet per second, but not to exceed 1,073.24 acre-feet per irrigation season as designated by the decree.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 27, 2000

Proof of completion of work shall be filed before:

May 27, 2000

Application of water to beneficial use shall be filed on or before:

April 27, 2001

Proof of the application of water to beneficial use shall be filed on or before:

May 27, 2001

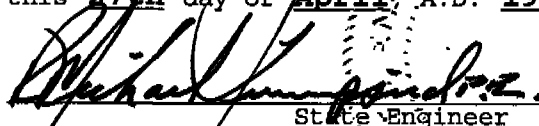
Map in support of proof of beneficial use shall be filed on or before:

May 27, 2001

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 27th day of April, A.D. 1999

  
State Engineer

Completion of work filed JUN 20 2000

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_